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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,833	03/30/2001	Steven Lemay	IGTIP118/P-303	6122
22434	7590	06/28/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			NGUYEN, KIM T	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			3713	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SA

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/823,833		LEMAY ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Kim Nguyen		3713	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 37 and 39-58 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37, 39-45, 47-50, 52-54 and 56-58 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 46, 51 and 55 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some \*    c) ☐ None of:
  - 1. ☐ Certified copies of the priority documents have been received.
  - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/8/05</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

Examiner acknowledges receipt of the RCE filed with the amendment on 3/8/05. According to the amendment, claim 38 has been canceled, and claims 37 and 39-58 are pending in the application.

1. This application is in condition for allowance except for the following formal matters:

#### ***Claim Objections***

2. Claims 46, 51 and 55 are objected to because of the following informalities:
  - a) In claim 46, lines 10, 11 and 13; claim 51, lines 2-3 (two occurrences), the claimed limitation "said peripheral device" should be corrected to "said at least one peripheral device".
  - b) In claim 55, the end of line 15, the period "." should be corrected to semicolon ";

Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

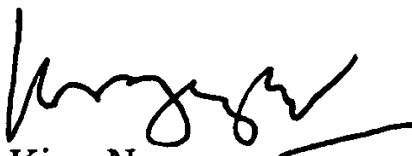
***Allowable Subject Matter***

The following is a statement of reasons for the indication of allowable subject matter: prior art of record fails to show or fairly suggests a gaming machine and the method for providing operation code to a peripheral device of a gaming machine as set forth in independent claims 37, 46, 55 and 58 in which the peripheral device transmits a first signal to the gaming machine controller while the peripheral device includes only minimum resident code, the minimum resident code enables the peripheral device to transmit the first signal, and is insufficient to enable the complete operation of the peripheral device; the gaming machine transmits new operating code including at least a portion of code that is different from any operation code previously used by the peripheral device to the peripheral device in response to the first signal for controlling the operation of the peripheral device, the new operating code comprises code for enabling the complete operation of the peripheral device; the new operating code is stored at the storage device of the peripheral device; and the device controller of the peripheral device executes the new operating code for enabling the operation of the peripheral device.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is 571-272-4441. The examiner can normally be reached on Monday-Thursday during business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai, can be reached on 571-272-7147. The central official fax number for the organization where this application or proceeding is assigned is 703-872-9306.

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Date: June 21, 2005

  
Kim Nguyen  
Primary Examiner  
Art Unit 3713